

U.S. Patent Application Serial No. 09/895,331
Response filed January 4, 2005
Reply to OA dated October 5, 2004

REMARKS

Claims 1 and 6-16 are pending in application, with claims 6 and 7 currently withdrawn from consideration. Claims 2 and 5 have been canceled herein without prejudice or disclaimer. Claim 1 has been amended and new claims 8-16 have been added herein.

Claim 1 has been amended to recite the following limitations:

(i) The active hydrogen atom containing groups are selected from the group consisting of a carboxyl group, a hydroxyl group, and an amino group.

(ii) The water-borne polyurethane resin (A) contains at least 0.005 to 0.2 equivalent of the hydrophilic groups per 100 parts by weight of the finally obtained polyurethane resin.

(iii) The aqueous dry laminate adhesive composition comprises a colorant (D) constituted by water dispersible pigments, wherein a pigment's surface is coated with a water dispersible resin.

Support for limitation (i) may be found on page 5, lines 19 to 22; (ii) is supported by the disclosure on page 11, lines 4 to 8; and (iii) is supported by the disclosure on page 16, lines 3 to 5.

Support for new independent claims 8, 12 and 17 may be found in original claims 1 and 2. In addition, new claim 8 includes limitation (i) discussed above, new claim 12 includes limitation (ii), and new claim 17 includes limitation (iii).

Claim 1 is rejected under 35 U.S.C. §112, second paragraph, as being indefinite. (Office

U.S. Patent Application Serial No. 09/895,331
Response filed January 4, 2005
Reply to OA dated October 5, 2004

action paragraph no. 2)

The Examiner cites the use of the word “type” in line 8 of claim 1. However, the Examiner deleted the word “-type” by Examiner’s amendment in the Notice of Allowance dated December 31, 2003. Applicant has incorporated the Examiner’s amendment into the recitation of claim 1 before the present amendment. The rejection is therefore moot.

Regarding terms in the Takeda et al. reference which were incorrectly transliterated from Japanese to English.

Applicant notes the following transliteration errors, to avoid confusion in comparing the reference to the present invention. “Hydran WL Reed Star TI” of Takeda JP’289 is “Hydran WL Asistar”, which is an association-type thickener. “INPURANIRU” of Takeda is the same as “INPRANIL” of the present specification.

Claims 1, 2 and 5 are rejected under 35 U.S.C. §102(a) as anticipated by or, in the alternative, under 35 U.S.C. §103(a) as obvious over Takeda (JP2000-108289A). (Office action paragraph no. 5)

The rejection of claims 2 and 5 is moot in view of the cancellation of these claims without prejudice or disclaimer. The rejection of claim 1 is overcome by the amendment to claim 1. As discussed above, the amendment to claim 1 adds the limitations:

(i) The active hydrogen atom containing groups are selected from the group consisting of a

carboxyl group, a hydroxyl group, and an amino group.

(ii) The water-borne polyurethane resin (A) contains at least 0.005 to 0.2 equivalent of the hydrophilic groups per 100 parts by weight of the finally obtained polyurethane resin.

(iii) The aqueous dry laminate adhesive composition comprises a colorant (D) constituted by water dispersible pigments, wherein a pigment's surface is coated with a water dispersible resin.

Applicant submits that none of these added limitations is disclosed in Takeda JP'289A. For example, Takeda does not disclose the water-borne polyurethane resin, which has a weight-average molecular weight ranging from 2,000 to 200,000, and has a hydrophilic group and at least two active hydrogen atom containing groups, wherein the groups are reactive with isocyanate groups and are selected from the group consisting of a carboxyl group, a hydroxyl group, and an amino group.

Furthermore, Takeda does not disclose the hydrophilic groups contained in the water-borne polyurethane resin which is at least 0.005 to 0.2 equivalent per 100 parts by weight of the finally obtained polyurethane resin, and also does not disclosed a colorant, which is a water dispersible pigment coated with a water dispersible resin.

Moreover, Applicant notes that Takeda does not disclose that the thickener, which is an association polymer surface active agent, is an essential component. Although thickener is disclosed on page 16, paragraph 19, of Takeda and urethane type thickener used in Examples of Takeda is an association type thickener, the thickener is not used as an essential component but is used "as required ... adjusting to viscosity according to the various coating methods."

U.S. Patent Application Serial No. 09/895,331
Response filed January 4, 2005
Reply to OA dated October 5, 2004

Applicant notes that the combination of the present invention, including the thickener (C), which is a association polymer surface active agent, provides the result of an excellent water-borne polyurethane resin which is suitably used for an aqueous dry laminate adhesive composition for artificial leather. This effect, resulting from the combination including the thickener (C) in the present invention, is not disclosed in Takeda, and therefore represents an **unexpected result** over Takeda.

Applicant therefore submits that independent claim 1 is novel and non-obvious over Takeda et al. JP '289A. Each of new claims 8-16 includes at least one of the above discussed limitations, and claims 8-16 are therefore also novel and non-obvious over Takeda et al. JP'289A.

In view of the aforementioned amendments and accompanying remarks, the claims, as amended, are in condition for allowance, which action, at an early date, is requested.

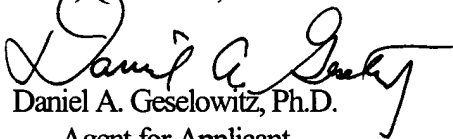
U.S. Patent Application Serial No. 09/895,331
Response filed January 4, 2005
Reply to OA dated October 5, 2004

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact Applicant's undersigned agent at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

In the event that this paper is not timely filed, Applicant respectfully petitions for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

ARMSTRONG, KRATZ, QUINTOS, HANSON & BROOKS, LLP


Daniel A. Geselowitz, Ph.D.

Agent for Applicant
Reg. No. 42,573

DAG/plb
Atty. Docket No. 010860
Suite 1000
1725 K Street, N.W.
Washington, D.C. 20006
(202) 659-2930



23850

PATENT TRADEMARK OFFICE